

REMARKS

The above amendments and these remarks are responsive to the Office action dated June 16, 2004. Prior to this Amendment, claims 1 through 3 were pending in the application. In the Office action, claims 1 through 3 were rejected. By this amendment, claim 1 is amended. In view of the amendment above, and the remarks below, applicant respectfully requests reconsideration of the application under 37 C.F.R. § 1.111 and allowance of the pending claims.

Rejections under 35 USC § 112:

Claim 1 stands rejected under 35 USC § 112. With respect to the 112 rejection, Examiner states: "Claim 1 recites the limitation 'a computer' in line 5. There is insufficient antecedent basis for this limitation in the claim. It is not clear whether the computer in line 5, is the same as 'first computer' in line 1."

In response to Examiner's 112 rejection, applicants have amended "a computer" in line 5 to "the first computer". In view of this amendment, applicants respectfully assert that there is now sufficient antecedent basis and that the 112 rejection should be removed. Accordingly, removal of the 112 rejection is respectfully requested.

Rejections under 35 USC § 102:

Claims 1-3 stand rejected under 35 U.S.C. §102(b) as being anticipated by Laming et al. (U.S. Patent No. 6, 144,997). Applicant respectfully traverses the rejection.

Applicants first note that "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Not only must the prior art reference describe each and every element, but "the elements must be arranged as required by the claim." *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Lamming is directed to a system and method for accessing and distributing electronic documents using references or "tokens". Documents are distributed from one

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person to another by transmission of document references or tokens, and a document is sent to a printer by beaming that document's reference or token to an IR transceiver associated with that printer." (See Lamming, Abstract).

Lamming further states: "**Document references take the form of an electronic token which uniquely corresponds to a document.**" (See Lamming, col. 4, line 48-49)

As noted in the present Application and in contrast to Lamming's document references, a **"generic access request" does not include the location of the target data and not associated with any particular document.**

Moreover, it is respectfully asserted that nowhere does Lamming teach the claim 1 step (step (a)) of "selecting a set of data to be accessed in response to a generic access request". For this reason alone, it is respectfully asserted that the 102 rejection of claim 1 should be withdrawn.

The Examiner appears to find step (a) in Lamming at fig. 2 and col. 4, lines 13-59. Whereas Lamming does disclose "document references" in these sections, nowhere does Lamming discuss selecting a set of data that is to be accessed in response to a **generic access request**. Put another way, nowhere does Lamming discuss selecting a document that is to be later accessed by a request that is **not associated with any particular document**.

It is respectfully asserted that nowhere does Lamming teach the claim 1 step (step b) of: "receiving content from an external device, the content executable by a computer to cause the first computer to generate a generic access request to retrieve a set of data describing an image and further executable to use the retrieved set of data to generate a print job". For this reason alone, it is respectfully asserted that the 102 rejection of claim 1 should be withdrawn.

The Examiner appears to find step (b) in Lamming at fig. 1 and col. 6, lines 12-62. Lamming does discuss document references in these sections. Nowhere, however, does Lamming discuss a generic access request. Lamming cannot, therefore, disclose the step of receiving content that, when executed, generates a generic request.

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It is respectfully asserted that nowhere does Lamming teach the claim 1 step (step c) of: executing the content so as to generate the generic access requests. For this reason alone, therefore, it is respectfully asserted that the 102 rejection of claim 1 should be withdrawn.

The Examiner appears to find step (c) of claim 1 in Lamming at col 5, lines 45-62. It is respectfully asserted that these sections say nothing about generating a generic access request.

It is respectfully asserted that nowhere does Lamming teach the claim 1 step (step d) of: responding to the generic access requests by retrieving the selected set of data. For this reason alone, therefore, it is respectfully asserted that the 102 rejection of claim 1 should be withdrawn.

The Examiner appears to find the claim 1 step (d) in Lamming at col 9. It is respectfully asserted that this section says nothing about responding to a request (i.e., a generic access request) that does not include the location of the selected data by retrieving the selected set of data. Lamming does discuss document tokens at col. 9, but these tokens point to the target document and are directly associated with the target document.

It is respectfully asserted that nowhere does Lamming teach the claim 1 step (step e) of: executing the content so as to use the retrieved set of data to generate the print job. For this reason alone, therefore, it is respectfully asserted that the 102 rejection of claim 1 should be withdrawn.

The Examiner appears to find the claim 1 step (e) in Lamming at claim 1 and fig. 6(e). It is respectfully asserted that this section says nothing about a set of executable instructions (i.e., the content) that is received from an external device that can generate a print job.

With respect to claim 2 and claim 3, Applicant's remarks with respect to claim 1 apply. Accordingly, it is respectfully asserted that these claims are also not anticipated by Lamming and the 102 rejection should be withdrawn.

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CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-3 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (208) 396-5263

Respectfully submitted,

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Date: 10/13/04

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